



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IX

75 Hawthorne Street
San Francisco, CA 94105-3901

October 29, 2008

Greg Sutherland
General Manager
Pechiney Cast Plate, Inc.
3200 Fruitland Avenue
Vernon, CA 90058

Re: Emergency Planning and Community Right to Know Act (EPCRA) Section 313 administrative action (Docket No. EPCRA-09-2008-0024)

Dear Mr. Sutherland:

We have received evidence that your facility has complied with all actions enumerated in the Consent Agreement and Final Order regarding the administrative action identified above. Your case is officially closed. If you have any questions, please contact Russ Frazer at (415) 947-4220.

Sincerely,

A handwritten signature in black ink, appearing to read "Nancy Levin", written over a horizontal line.

Nancy Levin
EPA Region IX Coordinator
Toxics Release Inventory Program
Communities and Ecosystems Division



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Sincerely,

Nancy Levin
EPA Region IX Coordinator
Toxics Release Inventory Program
Communities and Ecosystems Division

MAIL CODE	CEP-4	CE04				
SURNAME	KRAZER	LEVIN				
DATE	10.29.08	10-31-08				

U.S. EPA CONCURRENCES

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IX

75 Hawthorne Street
San Francisco, CA 94105-3901

Certified Mail No. 7007 3020 0000 9807 1071
Return Receipt Requested

Re: EPCRA-09-2008-0024

Date: SEP 29 2008


Greg Sutherland
General Manager
Pechiney Cast Plate, Inc.
3200 Fruitland Avenue
Vernon, CA 90058

Dear Mr. Sutherland:

Enclosed please find your copy of the fully executed Consent Agreement and Final Order, pursuant to 40 C.F.R. Sections 22.13 and 22.18, which contains the terms of the settlement reached with Grady Mathai-Jackson of the EPA Region IX Office of Regional Counsel and Russ Frazer of the EPA Region IX Toxic Chemical Release Inventory Enforcement Team. Your completion of all actions enumerated in the Consent Agreement and Final Order will close this case.

If you have any questions, please contact Grady Mathai-Jackson at (415) 972-3903 or Russ Frazer at (415) 947-4220.

Sincerely,


Enrique Manzanilla, Director
Communities and Ecosystems Division

Enclosure



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105

Certified Mail No. 7007 3020 0000 9807 1071
Return Receipt Requested

Re: EPCRA-09-2008-

Date: SEP 26 2008

Greg Sutherland
General Manager
Pechiney Cast Plate, Inc.
3200 Fruitland Avenue
Vernon, CA 90058

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Sincerely,

Enrique Manzanilla, Director
Communities and Ecosystems Division


Enclosure

MAIL CODE	CE0-4	CE04	CE0-4			
SURNAME	RAZER	Levin	MSLAC			
DATE	9/17/08	9/18/08	9/29/08			

U.S. EPA CONCURRENCES

OFFICIAL FILE COPY

Yoshiro
Tokiwa/R9/USEPA/US
12/21/2007 01:30 PM

To Greg.Sutherland@alcan.com
cc
bcc
Subject Re: Pechiney Cast Plate 

Per your request, you have until January 26, 2008 to submit a formal response to our December 6, 2007 TRI letter..
Greg.Sutherland@alcan.com

Greg.Sutherland@alcan.com
12/21/2007 11:48 AM

To Yoshiro Tokiwa/R9/USEPA/US@EPA
cc
Subject Pechiney Cast Plate

Dear Mr. Tokiwa,

Thank you for your time on the phone today to discuss your letter of December 7th. As we discussed, I am the sole remaining employee on site and all files have been sent back to our Chicago services group for retention.

If you would allow me, it would be greatly appreciated.

Sincerely,

Greg Sutherland
General Manager
Pechiney Cast Plate
3200 Fruitland Ave.
Vernon, CA 90058
ph. 323-584-1900 x7105 fax 323-584-1911
cell 440-725-5805

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IX

75 Hawthorne Street
San Francisco, CA 94105-3901

December 6, 2007

Mr. Greg Sutherland
General Manager
Pechiney Cast Plate
3200 Fruitland Avenue
Vernon, CA 90058

Re: Voluntary Disclosure under Self-Auditing Policy

This is in response to your letter dated November 15, 2006 disclosing that Pechiney Cast Plate had failed to submit the Toxics Release Inventory's Form R required for the calendar year 2005 under Section 313 of the Emergency Planning and Community Right-to-Know Act (EPCRA). You request full mitigation of penalties for the failure to submit since the filing was overlooked in the process of closure and sale of the 3200 Fruitland Avenue facility.

For voluntary disclosures, the U.S. Environmental Protection Agency (EPA) Audit Policy entitled *Incentives for Self-Policing: Discovery, Disclosure, Correction and Prevention of Violations*, 65 Fed. Reg. 19618 (April 11, 2000) allows relief from gravity based penalties provided your facility meets all nine (9) conditions of the Audit Policy which are listed below. Please see <http://www.epa.gov/compliance/incentives/auditino/auditpolicy.html> for more information on EPA's Audit Policy.

A. Facility and Violation Information

1. For each violation, state the 'reporting year, TRI-listed chemical, and an estimate of the quantity manufactured, processed or otherwise used at the facility.
2. Please briefly describe the facility's function, and how the chemical at issue is manufactured, processed, or otherwise used.
3. State the number of employees at the facility and total corporate entity sales.
4. Provide the state in which the facility is headquartered and incorporated.
5. Identify the name and title of an individual who would be signing the US EPA's proposed Consent Agreement and Final Order (CAFO) addressing these violations.

Condition 3: - Prompt Disclosure

7. State the date on which the violations were discovered. Was this disclosed in writing within twenty-one (21) days of discovery? If not, please explain, in detail, the reasons that the violation was not disclosed within 21 days of discovery.

Condition 4: - Independent Discovery and Disclosure

8. State whether the facility received prior notification of a citizen or third party suit for the violations disclosed. Was the violation disclosed independent of a government enforcement action, notification of inspection, or third party complaint?

Condition 5: - Correction and Remediation

9. Explain in detail all measures taken to correct the violations. Have Forms R or A been completed? If so, what date(s) were they submitted to the TRI Reporting Center? If not, do you estimate that more than 60 days will be needed to correct the violations? Please explain fully and provide the opinion of any technical or engineering expert relied upon to arrive at that estimate.

Condition 6: - Prevent Recurrence

10. Explain in detail all measures taken or to be taken to ensure that the violations disclosed will not be repeated. Include in your discussion any improvements made to the facility's environmental auditing or compliance management system efforts in an attempt to prevent recurrence of the violations.

Condition 7: – Repeat Violations are Ineligible

11 Has this facility had any EPCRA violation within the past three (3) years that was identified in a federal , state or local agency enforcement action? Please describe the corporate structure, including all parent and subsidiary corporations.

12. Has any EPCRA violation occurred within the facility's parent organization within the past five (5) years?

Condition 8: - Other Violations Excluded

13. Has the violation resulted in serious actual harm to human health or the environment? Does the violation violate any specific term or any order, consent agreement, or plea bargain?

Condition 9: – Cooperation

14. Please provide any other information you deem relevant that demonstrates your cooperation with U.S. EPA.